

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

LAQUETTA NOBLE and MARKEE)	
LANE,)	
)	
Plaintiffs,)	
)	CIVIL ACTION NO.
v.)	2:19cv448-MHT
)	(WO)
A&E CONVEYOR SYSTEMS,)	
INC., a Corporation,)	
)	
Defendant.)	

OPINION AND ORDER

The allegations of the plaintiffs' complaint are insufficient to invoke this court's diversity-of-citizenship jurisdiction. The allegations must show that the citizenship of each plaintiff is different from that of each defendant. See 28 U.S.C. § 1332.

28 U.S.C. § 1332(c) provides that a corporation shall be deemed a citizen, first, of all States by which it has been incorporated and, second, of the State where it has its principal place of business. To invoke jurisdiction based on diversity in a case in

which a corporation is a party, it is thus necessary to allege distinctly and affirmatively all the States by which the corporation has been incorporated and the State in which the corporation has its principal place of business. *American Motorists Ins. Co. v. American Employers' Ins. Co.*, 600 F.2d 15, 16 and n.1 (5th Cir. 1979) (per curiam).¹ The plaintiffs' complaint fails to allege sufficiently the citizenship of corporate defendant A&E Conveyor Systems, Inc., because it does not specify the State(s) in which it is incorporated.²

It is therefore the ORDER, JUDGMENT, and DECREE of the court that the plaintiffs have until September 27,

1. In *Bonner v. Prichard*, 661 F.2d 1206, 1209 (11th Cir. 1981) (en banc), the Eleventh Circuit Court of Appeals adopted as binding precedent all of the decisions of the former Fifth Circuit handed down prior to the close of business on September 30, 1981.

2. The court recognizes that the defendant admitted in its answer that it is a Georgia corporation. See Answer (Doc. 20) at 1. Nevertheless, the court wishes to avoid any future doubts as to the court's jurisdiction.

2021, to amend the complaint to allege § 1332 jurisdiction sufficiently, *see* 28 U.S.C. § 1653; otherwise, this cause shall be dismissed without prejudice.

DONE, this the 13th day of September, 2021.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE